

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
EASTERN DIVISION

FILED
IN CLERKS OFFICE
2005 MAR 31 A 11:53
U.S. DISTRICT COURT
DISTRICT OF MASS.

SANDRA YOUNG, and ERIC K. SOUZA,
P.P.A., By His Mother and Next Best Friend,
Plaintiffs,

VS

SIX FLAGS, INC. and INTAMIN AG,
Defendants.

CIVIL ACTION NO. 04 11126 MLW

PLAINTIFF'S RULE 26(a) (1) AUTOMATIC DISCLOSURES

Pursuant to Fed. R. Civ. P. 26(1), the Plaintiffs do hereby make the following initial disclosures:

A. **Name the individuals who are believed to have discoverable information about the claims or defenses.**

The Plaintiffs do hereby incorporate by reference herein each and every name set forth within the Rule 26(a) (1) Automatic Disclosures that have heretofore been listed by both of the Defendants in the above-entitled matter.

In addition to the above, the Plaintiff's do hereby set forth the following names:

1. The names of all witnesses to the subject accident as set forth in the Plaintiff's responses to each of the Defendant's Interrogatories.
2. The names of all physicians and nurses as set forth in the Plaintiff's responses to each of the Defendant's Interrogatories.
3. The names of all physicians and nurses as set forth within the documents and

medical records that the Plaintiff's have produced and shall produce in Response to each and every Request for the Production of Documents which have been filed by each of the Defendants.

In accordance with Rule 26(a) (1), the Plaintiffs make their initial disclosures based on information currently available to them at this time. Because formal discovery has just commenced, we do hereby acknowledge that further developments in this case may dictate the need to identify additional persons with relevant knowledge. Therefore, in accordance with Rule (26) (e), this disclosure will be supplemented seasonably as soon as the Plaintiffs ascertain the identity of such individuals.

Rule 26(a) (1) (B): A copy of, or a description by category and location of, all documents, data compilations, and tangible things that are in the possession, custody or control of the party and that the disclosing party may use to support its claims or defenses, unless solely for impeachment.

The Plaintiffs do hereby, identify the following category of documents which may be required to support their claims and allegations as set forth in their complaint, which has heretofore been filed in this action.

1. The Plaintiff's do hereby incorporate by reference herein each and every document listed within the Rule 26(a)(1)(B) Automatic Disclosures that have heretofore been filed by each of the Defendants in the above-entitled action.

In addition to the above, the Plaintiffs do hereby set forth the following documents:

1. All documents produced by the Plaintiffs in response to each and every Request For The Production Of Documents heretofore been filed by each of the said Defendants.
2. All the medical records of the Plaintiff, non-privileged, relating to the injuries of

the Plaintiffs alleged to have been caused by the incident which is the subject of the Plaintiffs' complaint.

3. All records of the Plaintiffs' non-privileged, relating to the injuries of the Plaintiffs alleged to have been caused by the incident which is the subject of the Plaintiffs' complaint.
4. Any and all statements made by witnesses to the events and circumstances leading up to the incident:
5. Each and every curriculum vitae of any expert witnesses identified as a trial witness at the time the expert designations are due;
6. All notes, diagrams, photographs, and other materials used by the expert witnesses who are designated as trial experts at the time of their designation.
7. All documents produced by the other parties in this case.

In accordance with Rule 26(a)(1), the Plaintiffs make their initial disclosures based on information currently available to them at this time. Because formal discovery has just commenced, we do hereby acknowledge that further developments in this case may dictate the need to identify additional persons with relevant knowledge. Therefore, in accordance with Rule 26(e), this disclosure will be supplemented seasonably as soon as the Plaintiffs ascertain the identity of such individuals.

Rule 26(a)(1) (c): A computation of any category of damages claimed by the disclosing party, making available for inspection and copying as under Rule 34 the documents or other evidentiary material, not privileged or protected from disclosure, on which such computation is based including materials bearing on the nature and extent of injuries suffered.

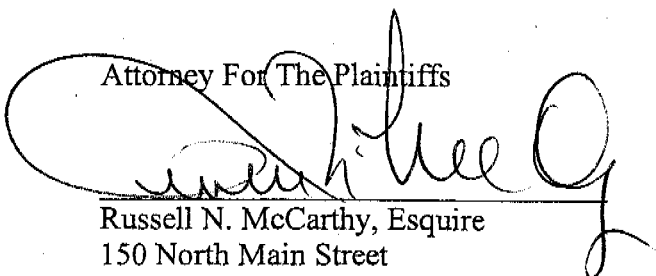
1. Kindly refer to the Plaintiffs' Responses to the Interrogatories of each of the Defendants named herein
2. Kindly refer to the Plaintiffs' Responses to the Request for the Production of Documents filed by each of the Defendants in the above-entitled action.

The Plaintiff reserves the right to seasonably supplement and amend this response as additional information may become available.

Rule 26(a)(1)(D): For inspection and copying as under Rule 34 any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of a judgement which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgement.

This specific disclosure is not applicable to the Plaintiffs in the above-entitled matter.

Attorney For The Plaintiffs



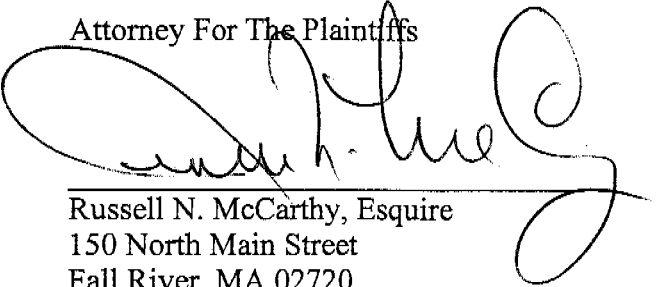
Russell N. McCarthy, Esquire
150 North Main Street
Fall River, MA 02720
508-324-0010
BBO # 552879

CERTIFICATE OF SERVICE

I, Russell N. McCarthy, Attorney for the Plaintiffs, do hereby certify that on the 28th Day of March 2005, a true copy of the Plaintiffs Disclosure Pursuant to Fed. R. Civ. P. 26 (a) (1) was served by mail, postage prepaid, to the following individuals.

- 1) John P. Graceffa, Esquire
Allain P. Collins, Esquire
Morrison, Mahoney, & Miller LLP
250 Summer Street
Boston, MA 02210
- 2) Peter M. Durney, Esquire
Anthony J. Manhart, Esquire
CORNELL & GOLLUB
75 Federal Street
Boston, MA 02110

Attorney For The Plaintiffs

A large, stylized handwritten signature in black ink, appearing to read "Russell N. McCarthy", is written over a horizontal line.

Russell N. McCarthy, Esquire
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Fall River, MA 02720
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